

REMARKS

This is in response to the Office Action mailed March 11, 2005, in which the Examiner rejected claims 1-30. With this Amendment, Applicant has amended claims 25 and 28, amended FIG. 2, added new FIGS. 4-6 and amended the specification and Abstract. Reconsideration of the application as amended is respectfully requested.

Overview of Amendments

Applicant has amended claims 1, 2, 5, 9-13, 16-21, 23-25, 27 and 28, cancelled claim 14 and added new claim 31. No excess claim fees are due.

Additionally, Applicant has amended FIG. 2 to include lines 4-4, 5-5 and 6-6, and added new FIGS. 4-6, which are partial side cross-sectional views of the slider of FIG. 2 respectively taken along lines 4-4, 5-5 and 6-6.

Amendments to the specification include a new title, the addition of a description of the new FIGS. 4-6, and a correction of a grammatical error. The Abstract has been amended to include the new title.

No new matter has been added by the amendments.

Objection to the Title of the Invention

In Section 1 of the Office Action, the Examiner objected to the title of the present application as being non-descriptive. With this Amendment, Applicant has amended the title as requested by the Examiner. Applicant submits that the new title is sufficiently descriptive of the claimed invention.

Drawing Objections Under 37 C.F.R. §1.83(a)

In Section 2 of the Office Action, the Examiner objected to the drawings under 37 C.F.R. §1.83(a). In particular, the Examiner objected to the drawings because they "failed to show any of the claimed details regarding the elevations of the various surfaces such as the 'recessed region'; or the 'depression floor' which is recessed relative to the disc-facing surface; etc." As a result, the Examiner found that elevation and/or perspective views were required.

Applicant respectfully disagrees with the Examiner and believes that elevation and/or perspective views are not required to satisfy 37 C.F.R. §1.83(a). 37 C.F.R. §1.83(a) states:

The drawing in a nonprovisional application must show every feature of the invention specified in the claims. However, conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box). [emphasis added]

Applicant submits that although the relative elevations of the claimed features shown in FIGS. 2 or 3 are not depicted, the depiction of their relative elevations is not "essential for a proper understanding of the invention".

As explained on page 5, lines 23-25, "[c]hanges in surface shading in FIGS. 2 and 3 indicate changes in surface depth relative to a bearing surface level 140 that corresponds to bearing surfaces of slider 118." Additionally, the relative elevations of the claimed features are sufficiently described in

the specification to provide a proper understanding of the invention.

For example, embodiments of the slider include elongated rails 150 and 152 (shown in FIG. 2) each having a media-facing surface 258 and an elongate depression 260 having a depression floor 262. The depression floors 262 are described on page 8, lines 22-24 as being recessed relative to the respective media-facing surface 258, which in turn is described on page 9, lines 3-5 as being "recessed from bearing surface level 140". As a result, even though the relative elevations of the media-facing surfaces 258, the bearing surface level 140 and the depression floors 262 are not depicted, a proper understanding of their relative elevations is clear from the specification.

The relative elevations of other claimed features are also described in a similar manner. Furthermore, the particular amount of elevation change between the various surfaces is immaterial. As a result, Applicant believes that detailed drawings illustrating the relative elevations claimed features are not essential to provide an understanding of the invention.

Even so, Applicant has added new FIGS. 4-6 with this Amendment to expedite prosecution of the application. FIGS. 4-6 correspond to cross-sectional views of the slider of FIG. 2 respectively taken along lines 4-4, 5-5 and 6-6. Due to the description of the relative elevations of the depicted features in the original specification, and the understanding of those skilled in the slider art, no new matter has been added in FIGS. 4-6.

Objection to the specification under 37 C.F.R. §1.71

In Section 3 of the Office Action, the Examiner objected to the specification under 37 C.F.R. §1.71 "because the subject matter of Cls. 1-30 is not fully disclosed because the specification fails to be corroborated by that shown in the drawings." Applicant respectfully traverses the objection.

In general, the Examiner has failed to provide Applicant with any guidance as to which subsection (a)-(c) of 37 C.F.R. §1.71 that the objection is based on. Moreover, the Examiner has failed to point out any particular subject matter of the specification that is not sufficiently supported by the specification or any explanation as to why said subject matter is not supported. As a result, the Examiner has placed the burden on Applicant to guess which subject matter of the specification the Examiner believes is not fully supported and the reasons therefore. However, that burden lies with the Examiner.

Applicant submits that the specification fully supports the subject matter of the claims. For example, the specification includes a description of a longitudinal axis 170 [page 6, lines 13-14], which is also shown in originally-filed FIGS. 2 and 3. Additionally, as discussed above, Applicant submits that the relative elevations of the claimed slider features are described in the specification in a manner that satisfies the requirements of 37 C.F.R. §1.71.

Therefore, Applicant requests that the objection be withdrawn. Should the Examiner maintain the rejection, Applicant requests that the Examiner specify the particular subject matter of the claims that is not described in a manner that satisfies the requirements of 37 C.F.R. §1.71.

Rejections under 35 U.S.C. §112, first paragraph

In Section 4 of the Office Action, the Examiner rejected claims 1-30 under 35 U.S.C. §112, first paragraph. However, the Examiner fails to identify any particular claimed subject matter that fails to meet the requirements of 35 U.S.C. §112, first paragraph or reasons why the subject matter is not sufficiently supported. Instead, the Examiner only provides a conclusory statement of the rejections. As a result, Applicant is forced to determine not only the particular subject matter that the Examiner has determined is not sufficiently supported by the specification, but the grounds in support of the finding. However, that burden lies with the Examiner.

Applicant submits that the subject matter of each of the claims, including the relative elevations of claimed features, is described in the specification in a manner that satisfies the requirements of 35 U.S.C. §112, first paragraph, for the reasons set forth above.

Should the Examiner maintain the rejections, Applicant requests that the Examiner specify the particular subject matter of the claims that has led to the rejections, and the grounds as to why the Examiner believes the particular subject matter is not supported by the specification in a manner that satisfies the requirements of 35 U.S.C. §112, first paragraph.

Notice of Submitted Information Disclosure Statement

Please be advised that a Supplemental Information Disclosure Statement was filed March 21, 2005, after the mailing of the presently addressed Office Action. Consideration of the submitted references is respectfully requested.

Conclusion

In light of the above comments and remarks, Applicant submits that the present application is in condition for allowance. Reconsideration and favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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AMENDMENT TO THE DRAWINGS

Please amend FIG. 2 to include lines 4-4, 5-5 and 6-6, as indicated in the enclosed replacement sheet containing FIG. 2.

Also, please add the enclosed new FIGS. 4-6, which are partial side cross-sectional views of the slider of FIG. 2 respectively taken along lines 4-4, 5-5 and 6-6 of FIG. 2.